

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 3, 1979

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 3, 1979 in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen - Hughes (arrived at 8:15 p.m.) Katnich, McCarty, Pinkerton and Katzakian (Mayor)</p> <p>Absent: Councilmen - None</p> <p>Also Present: City Manager Graves, City Attorney Stein, Public Works Director Ronsko and Deputy City Clerk Schroeder.</p>
INVOCATION	The invocation was given by Ermal Williamson, Pastor Lodi People's Community Church.
PLEDGE	Mayor Katzakian led the Pledge of Allegiance to the flag.
COMMUNICATIONS	
ABC LICENSE L.J.S. ENTERPRISES 800 E. KETTLEMAN	The Deputy City Clerk presented an application for an Alcoholic Beverage License for L.J.S. Enterprises, Inc., Ladon J. Strapp, President/Treasure and Marlene L. Strapp, Vice President/Secretary, "Don Strapp Arco", 800 East Kettleman Lane, Lodi, Off Sale Beer and Wine, person to person transfer.
LETTER TO S. J. EDA	At the suggestion of Councilman Pinkerton, Council directed the Mayor to address a letter to the Economic Development Association of San Joaquin County praising the organization and its Executive Director for the good job being done in getting new industry into San Joaquin County.
MORATORIUM CONDOMINIUM CONVERSIONS	On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council declared a moratorium on the approval of the conversion of apartments to condominiums and instructed the City Attorney and appropriate Staff persons to present the Council with a condominium conversion Ordinance within 30 days.
DENSITY STUDY RHD AND RMD ZONING DISTRICTS	On motion of Councilman McCarty, Katnich second, Council asked the Planning Commission to study the present residential densities permitted in the R-HD, High Density Multiple Family Residential District and in R-MD, Medium Density Multiple Family Residential District with emphasis on the ability of existing utility systems to serve these densities and the adequacy of existing off-street parking requirements in these zoning classifications.

NOISE
ORDINANCE
COMMITTEE

The Deputy City Clerk read a letter from Fred M. Reid, Chairman, Lodi Noise Ordinance Review Committee which forwarded the Committee's funding to the City Council.

KOFU LETTER

The Deputy City Clerk read a letter addressed to Mayor Pro Tempore Katnich from Mr. Takao Komiyama, Councilman, Kofu, Japan thanking the City of Lodi for the kindnesses and considerations during his recent visit.

REPORTS OF THE
CITY MANAGER

CONSENT
CALENDAR

In accordance with report and recommendation of the City Manager, the following actions hereby set forth in asterisks, on motion of Mayor Pro Tempore Katnich, Pinkerton second, were approved by the City Council with Mayor Katzakian abstaining from the vote on the Lot Line Adjustment, Lot 8 and 9, Maxwell Industrial Park (Agenda item "e"), a firm in which he was an officer had interest in the project.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,674,640.13.

ACCEPTING
IMPROVEMENTS
HANSEN INDUSTRIAL
PARK

RESOLUTION 79-153

RES. NO. 79-153

RESOLUTION ACCEPTING THE SUBDIVISION
IMPROVEMENTS AND STREETS INCLUDED IN
TRACT NO. 1300, HANSEN INDUSTRIAL PARK

WINCHESTER ACRES
FINAL MAP AND
AGREEMENTS

Council approved the Final Map, the improvement plans and the improvement security and directed the City Manager and City Clerk to sign the Subdivision Agreement on behalf of the City of Lodi.

LOT LINE ADJUSTMENT
LOTS 8 AND 9
MAXWELL INDUS -
TRIAL PARK

RESOLUTION NO. 79-154

RES. NO. 79-154

RESOLUTION APPROVING LOT LINE ADJUSTMENT
BETWEEN LOTS 8 AND 9 OF MAXWELL INDUS -
TRIAL PARK

ACCEPT VINE
ST. IMPROVEMENTS
KRAMER DR. TO
WID CANAL

Council accepted the improvements in "Vine Street Improvements, 125 Feet West/Kramer Drive to Woodbridge Irrigation District Canal" and directed the Public Works Director to file a Notice of Completion with the County Recorders Office.

HUGHES
ARRIVES

Councilman Hughes arrived at the Council Chambers at 8:15 p.m.

EXECUTIVE
SESSION

Mayor Katzakian recessed the meeting to Executive Session at 8:15 p.m. so that Council could meet with Special Counsel, Gene G. Walton to discuss the upcoming Public Utility Commission hearings to consider closing various street/railroad crossings within the City Limits.

The meeting reconvened at 8:35 p.m.

KATZAKIAN
ABSTAINS

Mayor Katzakian stated he must abstain from discussing or voting on the upcoming item because of a possible conflict of interest and handed the gavel to Mayor Pro Tempore Katnich.

LODI BASEBALL
CLUB CONTRACT -
LAWRENCE PARK

33-22 (2)

The City Manager reviewed the report of the Recreation and Parks Director concerning the renewal of the contract for the use of Lawrence Park Baseball facilities. The report indicated that contract was recommended for renewal with the addition of a statement concerning turning-on the field lights before dusk.

On motion of Councilman Pinkerton, McCarty second, Council renewed the contract with the Lodi Dodgers Baseball Club for the use of Lawrence Park baseball facilities with the addition of a statement concerning turning-on the field lights before dusk.

KATZAKIAN
RETURNS

Mayor Katzakian returned to the Council table and received the gavel from Mayor Pro Tempore Katnich.

NEW CHAPTER 3
LODI MUNICIPAL
CODE - ANIMALS
AND FOWL

33-22

City Attorney Stein stated that he had recently reviewed Chapter 3 of the Lodi City Code as it related to animals and fowl and that he had prepared certain amendments to the code to be more in line with current practice and other existing laws. He reviewed the changes for the City Council.

ORD. NO. 1181
INTRODUCED

The following persons were present and spoke on the proposed amendments:

1. Ms. Kay Lang, 815 Holly Drive, Lodi. She suggested that the fees be the same as charged by San Joaquin County.
2. Mr. Eugene C. Hersam, 2200 Capell Drive, Lodi. He stated that he strongly favored that section which addressed itself to the abatement of barking dogs.

Mayor Pro Tempore Katnich introduced Ordinance No. 1181, "An Ordinance Repealing Chapter 3 of the Lodi Municipal Code and Enacting a New Chapter 3 as it Relates to Animals and Fowl within the City of Lodi." The motion was seconded by Councilman Pinkerton and carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty,
Pinkerton and Katzakian (Mayor)

Noes: Councilmen - None

Absent: Councilmen - None

CONSIDER
CONDEMNATION
PUBLIC UTILITY
EASEMENT - 840
SO. FAIRMONT

11-11-77
C-100-11

Council was in receipt of reports from the Public Works Director and Special Counsel C. M. Sullivan, Jr. concerning the necessity for a public utility easement along the east 5 feet of the parcel at 840 South Fairmont Avenue owned by C. W. Fortier, et. al. and a request that Council adopt a "Resolutions of Necessity in Condemnation Proceeding" which resolution is the first step in a condemnation action.

The Deputy City Clerk stated a "Resolution of Necessity in Condemnation Proceeding" required a two-thirds vote of the entire City Council.

The Public Works Director gave the background on this matter and presented graphics which depicted the problem.

Dr. C. W. Fortier, 840 South Fairmont Avenue was present and stated his reasons why he opposed granting or selling the easement to the City. Basically he was opposed to the easement because it might limit the future use of his property. He gave as an example the construction of an underground parking garage which might require footings on underground retaining walls in the area required for the easement. He also was opposed to the easement because it was needed to solve a problem on someone else's property. A problem which he did not have. Finally he felt that there were other solutions to the problem which would not require the easement.

After lengthy discussion, Councilman Hughes moved adoption of a Resolution of Necessity in Condemnation Proceedings and one which also required the Staff to negotiate an easement which would be compatible with a future underground retaining wall. The motion was seconded by Councilman Pinkerton. Upon roll call the motion failed to receive two-third affirmative vote as follows:

Ayes: Councilmen - Hughes, Katnich, and
Katzakian (Mayor)

Noes: Councilmen - McCarty and Pinkerton

Absent: Councilmen - None

Mayor Katzakian directed the Staff to negotiate an easement with Dr. C. W. Fortier at 840 South Fairmont Avenue which would be compatible with a future underground retaining wall.

PURCHASE AND
MODIFICATION
USED FERTILIZER
SPREADER

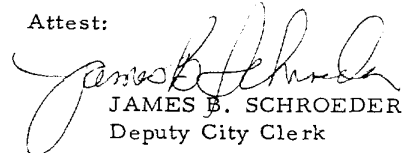
The City Manager reviewed a report from the Public Work Director which described the necessity to purchase and modify a used fertilizer spreader to dispose of sludge at the White Slough Water Pollution Control Plant.

After discussion on motion of Councilman Pinkerton, Hughes second, Council authorized purchase and modification of a used fertilizer spreader to dispose of sludge at its White Slough Water Pollution Control Plant.

ADJOURNMENT

As there was no further business to be brought before the City Council, Mayor Katzakian adjourned the session at 10:54 p. m.

Attest:



JAMES B. SCHROEDER
Deputy City Clerk